

Office of the Chapter 13 Standing Trustee

Isabel C. Balboa, Chapter 13 Standing Trustee†

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October 16, 2018

The Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court
P.O. Box 2067
Camden, New Jersey 08102

**RE: Chapter 13 Proceeding
Case No. 17-14213 (ABA)
Debtor(s) Name: Chris D. and Patricia A. Purviance**

Dear Judge Altenburg:

Please accept this letter in lieu of a more formal response to Debtors' Notice of Proposed Private Sale which is returnable November 6, 2018 at 10:00 a.m.

Debtors' Chapter 13 Plan was confirmed on September 12, 2018. Debtors' plan was confirmed, in part, to pay Ally Capital \$11,144.94, representing the full balance due for the 2011 Chevrolet Express. (See Claim No. 2). The Trustee notes that pursuant to the filed claim, the vehicle was valued at \$15,650.00.

On October 2, 2018, Debtors filed a Notice of Proposed Private Sale seeking permission to sell their 2011 Chevrolet Express to SBiz B, Inc. for \$10,850.00. No additional information was provided. On that same date, Ally Financial contacted the Chapter 13 Trustee and advised that they had received sufficient funds to pay its claim in full. (See copy of email correspondence received on October 2, 2018, attached hereto).

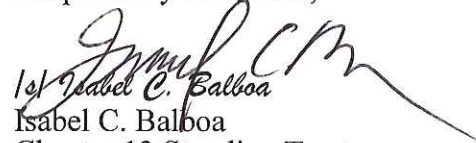
It appears that Debtors have sold the vehicle prior to obtaining the Court's approval. The Trustee cannot ascertain if this was an arms-length transaction and if better/higher bids could have been received.

According to Ally's proof of claim, there was approximately \$4,800 in equity in the vehicle. Pursuant to Schedule C, Debtors claimed an exemption under 11 U.S.C. § 522(d)(2) in the amount of \$1,090.31. As a result, there was non-exempt equity in the vehicle totaling \$3,709.69.

Based on the foregoing, the Trustee respectfully requests Debtors' be required file a modified plan to remove Ally Credit and to pay a minimum base of \$3,709.69 to unsecured creditors who filed timely claims.

As always, the Court is welcome to contact the Trustee with any concerns.

Respectfully submitted,


Isabel C. Balboa
Chapter 13 Standing Trustee

ICB/jpa

cc: Richard S. Hoffman, Jr. (Via CM/ECF)
Chris and Patricia Purviance (Via Regular Mail)

From: Seymour, Chase
To: [claimsanalyst](#)
Subject: 17-14213 - Purviance - Claim # 2 - Ally
Date: Tuesday, October 02, 2018 10:27:42 AM
Attachments: [image001.png](#)

Good Morning,

Please be advised Ally has received sufficient funds to pay its claim in full.

Thank you,

Chase Seymour

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